

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA

v.

ASHER ABID KHAN,

Defendant

§
§
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§
§
§

CRIMINAL NO. H-15-263

UNITED STATES' MOTION FOR RESENTENCING OF DEFENDANT

TO THE HONORABLE JUDGE OF SAID COURT:

The United States of America, by and through Ryan K. Patrick, United States Attorney in and for the Southern District of Texas, and Carolyn Ferko, and Alamdar S. Hamdani, Assistant United States Attorneys, files this motion for resentencing.

On September 16, 2019, the Fifth Circuit Court of Appeals vacated Asher Khan's sentence of eighteen months and remanded the case for resentencing. *United States v. Khan*, 938 F.3d 713, 719 (5th Cir. 2019). On September 18, 2019, this Court issued an order requesting from the parties a brief on the law affecting resentencing, and set a hearing for November 20, 2019 to discuss that briefing.

The United States requests that the Court schedule Khan's resentencing also for November 20, 2019 to follow the already schedule hearing regarding the above mentioned briefs.

Counsel for the defendant was conferenced regarding this motion and defense counsel is requesting a date in mid-December for his client's resentencing.

Respectfully Submitted,

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CERTIFICATE OF CONFERENCE

The United States has conferred with counsel for Khan, David Adler, and is requesting a mid-December date rather than the requested day of November 20, 2019.

CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2019, a true and correct copy of the foregoing has been emailed to David Adler, counsel of record for the defendant, as well as Chris Hopkins with U.S. Probation.

RYAN K. PATRICK
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